IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 870 (SS) of 2007

Smt. Ajita Airi,
W/o Dr. Subodh Airi,
Presently posted as
Assistant Teacher,
Junior High School,
Khali Bhetuli, Block – Takula,
District- Almora. **…….Petitioner.**

Versus

1. State of Uttarakhand, through Secretary, Education Dehradun, District –Dehradun.
2. Director of Education, (School Education) Uttarakhand, Mayur Vihar, Sahstradhara Road, Dehradun.
3. Additional Director (Education), Kumaon Mandal, Nainital.
4. District Education Officer, Almora, District – Almora.
5. Additional District Education Officer (Basic), Almora, District- Almora.

……Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Lalit Sharma, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, petitioner, who is working as Assistant Teacher is Junior High School, has challenged order dated 11.06.2007 passed by Additional District Education Officer (Basic), Almora, by which petitioner has been transferred from Junior High School, Khali Bhetuli, Takula, to Junior High School, Mehrgaon, Shyaldey, on the ground of "inconsistent subject".

Aggrieved with the transfer order, petitioner has already moved representation on 18.06.2007 (Annexure no. 4 to the writ petition) before the District Education Officer, Almora for redressal of her grievance and the same is still pending.

During the course of argument, learned counsel for the petitioner has confined his prayer that District Education Officer, Almora, may be directed to decide the representation of the petitioner dated 18.06.2007 within a period prescribed by this court.

The prayer is innocuous. Accordingly, I direct the District Education Officer, Almora, to decide the representation of the petitioner dated 18.06.2007 (Annexure no. 4 to the writ petition) within a period of one week from the date of production of certified copy of this order.

Petitioner is also directed to submit the certified copy of this order before District Education Officer, Almora within a period of ten days from today. Till the representation is decided by District Education Officer, Almora, or till 31st July 2007, whichever is earlier, the impugned order dated 11.06.2007 passed by the Additional District Education Officer (Basic), Almora, so far as it relates to the petitioner, shall not be given effect to.

With this direction, the writ petition as well as stay application stands disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 12, 2007
SKS